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ZONG BIN LI

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE MATERIAL WITNESS WARRANT

Case No.: 07 90552 MISC VRW (JCS)

**GOVERNMENT'S INTERVIEW
MEMORANDA OF ZONG BIN LI**

Material Witness Zong Bin Li, by and through his counsel, Jonathan Howden, hereby provides to the Court the government's interview memoranda of Zong Bin Li (see attached Exhibit A). As reflected in the memoranda, Li was interviewed briefly by the Coast Guard on the day of the allision and again briefly on the following day (November 7 and 8, 2007). He was interviewed again on December 12, 2007 at the offices of the United States Attorney while represented by the undersigned counsel.

As reflected in the memoranda, Li was the helmsman on the day of the allision. His duty on that day was to follow the Pilot's orders by repeating them as they were issued and then executing the ordered maneuver. All of the Pilot's orders and the helmsman's responses were recorded on the Voyage Data Recorder and all of the ship's movements were recorded

1 electronically. Li has never been asked about or provided evidence of any other material facts, nor
2 can he do so.

3 As reflected in his interview memorandum of December 12, 2007, Li has been an Able
4 Bodied Seaman for six years. He is not an officer. He has no navigational training or
5 responsibility. He cannot even state with certainty if he was the helmsman when the M/V Cosco
6 Busan first entered San Francisco Bay. He did not understand any of the statements and
7 conversations involving the Pilot on the morning of the allision. In short, his potential testimony
8 is marginal rather than material and every fact of which he has knowledge can be offered by the
9 government through other testimony and evidence. Accordingly, there is no compelling reason
10 why he should be prevented from returning to China to visit his ailing grandmother and the rest of
11 his family.

12 Dated: August 22, 2008

Respectfully submitted,

13 THELEN REID BROWN RAYSMAN & STEINER LLP

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15 By /s/ Jonathan Howden
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16 Attorney for Material Witness
17 Zong Bin Li
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